



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/725,782	11/29/2000	Peter Rohrig	CU-2402 TFP	8684
7590 03/18/2008 Ladas & Parry 224 South Michigan Avenue Chicago, IL 60604			EXAMINER HALE, GLORIA M	
			ART UNIT 3765	PAPER NUMBER
			MAIL DATE 03/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Ladas & Parry
224 South Michigan Avenue
Chicago, IL 60604

In re Application of:
Roehrig
Serial No. 09/725,782
Filed: November 29, 2000
Docket: CU-2402 TFP
Title: PACIFIER

DECISION ON PETITION
37 CFR 1.324

In the petition under 37 CFR 1.324 filed December 18, 2007, petitioner requests that Ernst W. Beranek be added as an inventor of the above named invention. In order for the petition under 37 CFR 1.324 to be granted, the petition must be accompanied with the following:

(a) Whenever through error a person is named in an issued patent as the inventor, or through error an inventor is not named in an issued patent and such error arose without any deceptive intention on his or her part, the Director, pursuant to 35 U.S.C. 256, may, on application of all the parties and assignees, or on order of a court before which such matter is called in question, issue a certificate naming only the actual inventor or inventors. A petition to correct inventorship of a patent involved in an interference must comply with the requirements of this section and must be accompanied by a motion under § 41.121(a)(2) or § 41.121(a)(3) of this title.

(b) Any request to correct inventorship of a patent pursuant to paragraph (a) of this section must be accompanied by:

(1) Where one or more persons are being added, a statement from each person who is being added as an inventor that the inventorship error occurred without any deceptive intention on his or her part;

(2) A statement from the current named inventors who have not submitted a statement under paragraph (b)(1) of this section either agreeing to the change of inventorship or stating that they have no disagreement in regard to the requested change;

(3) A statement from all assignees of the parties submitting a statement under paragraphs (b)(1) and (b)(2) of this section agreeing to the change of inventorship in the patent, which statement must comply with the requirements of § 3.73(b) of this chapter; and

(4) The fee set forth in § 1.20(b).

The petition was dismissed in a decision mailed on February 20, 2008 because petitioner did not provide the requirements identified in sections (b) 1-3 above.

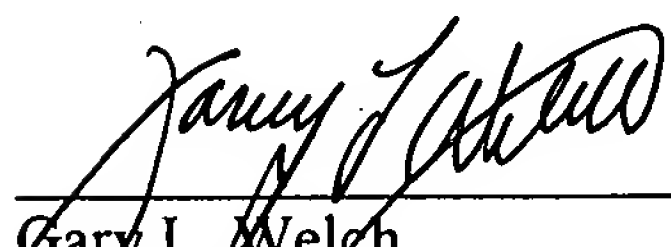
Petitioner contacted USPTO to discuss the decision on the petition and to inform the USPTO that all requirements of 37 CFR 1.3234 were provided. A review of the file wrapper and electronic scanned images confirms petitioner's claim. All requirements of 37 CFR 1.324 are deemed met. In view thereof, the decision mailed on February 20, 2008 is hereby vacated and replaced by the decision herein below.

The petition is granted.

In summary, petitioner has provided the requirements identified in sections (a) and (b) 1-4 above.

Therefore, since the requirements set forth in 37 CFR 1.324 have been met by the petition, the petition is granted.

PETITION GRANTED



Gary L. Welch
Supervisory Patent Examiner
Art Unit 3765
(571) 272-4996
(571) 273-4996 fax